

MICHIGAN INDIGENT DEFENSE COMMISSION



2021 overview

Dedicated to improving indigent defense services statewide.

APPROVED COMPLIANCE PLANS

All 120 trial court funding units in Michigan had their compliance plans and costs approved by the MIDC this year. These plans address the MIDC's standards covering training for assigned counsel, initial interviews by attorneys within three business days from assignment, funding for experts and investigators, and counsel at first appearance and other critical stages of the proceedings.



FULLY FUNDED TO IMPLEMENT STANDARDS

For Fiscal Year 2021, the MIDC approved \$167,613,562.86 in total system costs to fund compliance plans submitted by trial court funding units statewide

PROTECTING THE RIGHT TO COUNSEL

In 2021, all funding units submitted plans to comply with MIDC's Standard 5, requiring indigent criminal defense services be delivered independently from the judiciary.

Requiring assigned counsel and judges to operate independently from one another serves the court's role in protecting the constitutional right to counsel and enhances the ability of appointed counsel to effectively advocate for their clients.



ACCESS TO JUSTICE

LARA approved a new eligibility screening standard for the Michigan Indigent Defense Commission. This will help ensure fairness in the criminal justice system by providing a framework for people to qualify for legal representation and other resources for their defense.

CHANGES LEADING TO REFORM

This year, the Michigan Supreme Court accepted the MIDC's proposed court rule changes necessary to fully implement the standard requiring independence from the judiciary.

The court rule changes were also impacted by the standard on counsel at first appearance and all critical stages of the proceedings, and the indigency screening standard.



SYSTEM CHANGE



Under the MIDC Act, every funding unit is given an opportunity each year to select its desired indigent defense delivery method to comply with the MIDC standards.

Prior to the implementation of the MIDC Standards, 8 counties had public defender offices. In 2021, there were 32 public defender offices in Michigan covering 38 counties and more than 70 funding units began using managed assigned counsel administrators. Most of the change is designed to prepare for the independence standard.

TRANSITION

In 2021, the MIDC was fully seated, with all 19 members appointed and actively serving in their terms. This includes three new Commissioners appointed during the year who received introductory training and been assigned to standing and ad hoc committees.



The MIDC also selected a new Executive Director to begin a two year term effective January 2022.

TRANSPARENCY



The MIDC reviews compliance with the standards and grant funding through quarterly reporting by systems, court watching, and formal reviews with local partners.

The MIDC launched a new Grant Management System in 2021 to promote transparency and efficiency in the compliance planning and reporting process.

LEADERSHIP

The MIDC connects Public Defender Chiefs and Managed Assigned Counsel Administrators statewide who share ideas through an online forum, monthly meetings, and an annual leadership conference.

Over 130 leaders participate regularly in these conversations.



ADAPTABILITY DURING COVID 19



The Commission continued to conduct most business online through 2021. In-person meetings resumed during the summer with opportunities for Commissioners and members of the public to participate remotely. All compliance plans were addressed according to the statutory timelines and all grant funding was distributed according to the contract terms.

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